

IN THE HIGH COURT OF JUSTICE
CHANCERY DIVISION
BETWEEN: -

Claim No: HC11C03379

TOM ROWLAND

Claimant

- and -

(1) NEWSGROUP NEWSPAPERS LIMITED
(2) GLENN MULCAIRE

Defendants

STATEMENT IN OPEN COURT

Counsel/Solicitor for the Claimant

1. In this action for misuse of private information, breach of confidence and harassment, I appear for the Claimant. My learned friend, Michael Silverleaf QC, appears for the First Defendant.
2. The Claimant is a freelance journalist and writer. During 2005 and 2006 he wrote regularly for *The Times* and *The Sunday Times* as well as other UK national newspapers, on security, crime, surveillance, civil liberties, technology, health issues and the arts. He also maintained his own website on which he published excerpts of articles and other material. The First Defendant was the publisher of *The News of the World* which, until its notorious closure in July 2011, was the UK's biggest selling

Sunday newspaper with a very considerable readership in this jurisdiction. It was also published in an on-line version, www.newsoftheworld.com. As is now common knowledge, the Second Defendant was a private investigator engaged by the First Defendant to carry out various investigative activities. His methods included the unlawful interception of mobile telephone voicemail messages and obtaining information from mobile telephone companies and others by deception, a practice commonly known as "blagging".

3. In 2011 our client was notified by the Metropolitan Police that he was a "person of interest" to the Second Defendant and provided with call data from September 2005 to June 2006 from *The News of the World* phone hub to his mobile telephone. The Claimant was a T-Mobile customer and at the time his voicemails could simply be accessed by dialling his mobile telephone number. He had never spoken to anyone from *The News of the World*. It was clear from cross-referencing this call data with articles which appeared in *The News of the World* that the First Defendant had unlawfully intercepted for its own use information obtained by the Claimant for use in his own articles. Some of this information was subsequently published in *The News of the World*. Given that the Claimant used his mobile phone for private as well as business calls, he considered it highly likely that other categories of confidential information including financial, medical and legal information relating to his personal and professional life were also unlawfully intercepted.
4. In September 2011 the Claimant issued legal proceedings against the First and Second Defendants for misuse of private information, breach of confidence and harassment.

5. On 13 December 2011 the First Defendant admitted a list of matters including that it had entered into an agreement with the Second Defendant and paid him hundreds of thousands of pounds to obtain information about specific individuals for use by *The News of the World* journalists and publication in the newspaper. It admitted that certain of its employees were aware of, sanctioned and requested the methods used by the Second Defendant which included the unlawful interception of mobile phone voicemail messages and obtaining call and text data, (which methods are now known as "phone hacking"); obtaining information by "blagging"; and, in one case, unlawfully accessing emails. It also admitted that the Second Defendant had provided journalists at *The News of the World* with information to enable the said journalists themselves to intercept voicemail messages. The First Defendant accepted that some information unlawfully obtained by the Second Defendant was used to enable private investigators employed by *The News of the World*, including Derek Webb, to monitor, locate and track individuals and place them under surveillance.
6. I am here today to announce that the First Defendant has accepted liability for breach of confidence and misuse of private information and agreed to pay damages to the Claimant in the sum of £25,000 together with his legal costs. The First Defendant has also agreed to continue to carry out searches of documents in its possession and to disclose the results to the Claimant so that he can ascertain the extent of the wrongdoing.
7. Both Defendants have also undertaken not to further access the Claimant's voicemail messages or to publish unlawfully obtained private information about the Claimant.

Counsel for the First Defendant

8. My Lord, on behalf of the First Defendant I confirm everything [my learned Friend], Mr Tomlinson QC/Ms Allen, has said.
9. The First Defendant is here today, through me, to offer its sincere apologies to the Claimant for the damage, as well as the distress, caused to him by the accessing of his voicemail messages and obtaining confidential information. The First Defendant acknowledges that the information should never have been obtained as it was and that the First Defendant is liable for misuse of private information and breach of confidence.

Counsel/Solicitor for the Claimant

10. My Lord I ask for leave to withdraw the record.



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Hugh Tomlinson QC/ Tamsin Allen for the Claimant



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Michael Silverleaf QC for the First Defendant